IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ANGELITA LANGLEY	§	
Plaintiff,	§	
	§	
vs.	§	**Civil Action No. 1:21-cv-00503**
	§	
SALVADOR RAMIREZ	§	**Jury Demanded**
Defendant.	§	

Defendant, Salvador Uribe Ramirez's
Notice of Removal

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

1. Pursuant to Title 28, United States Code, Sections 1441(b) and 1446, **Salvador Uribe Ramirez**, Defendant in Cause No. 21-0554 in the 428th Judicial District Court of Hays County, Texas, files this his Notice of Removal under 28 U.S.C. §1441(b) to remove this matter from state court to the United States District Court for the Western District of Texas, Austin Division. Other than the filing of responsive pleadings on behalf of the named Defendant, no progress has been made in the State Court suit prior to the filing of this Notice of Removal. As set forth below, the United States District Court has jurisdiction over this case under Title 28, United States Code, Section 1332, because (1) this is a civil action; (2) complete diversity of citizenship exists between the parties in interest, as described below, and (3) the amount in controversy exceeds $75,000.00, exclusive of interest and costs.

2. The United States District Court for the Western District of Texas, Austin Division, is the proper Court into which to remove this action under 28 U.S.C. § 1441(a) and § 1446(a) because this district and division embrace the place in which the removed action was pending.

Citizenship of the Parties

3.   Plaintiff, **Angelita Langley**, is a resident and citizen of the State of Texas.

4.   Defendant, **Salvador Uribe Ramirez**, is a resident and citizen of the State of Iowa.

Statement of Causes of Action/Amount in Controversy

5.   As pled in the Plaintiff's Original Petition, a true and correct copy of which is attached hereto, this case is based upon claims arising out of personal injuries allegedly suffered by Plaintiff, **Angelita Langley**.   Plaintiff's claims are based upon allegations of negligence against Defendant, **Salvador Uribe Ramirez.** In her Original Petition, **Langley** seeks to recover in excess of one million dollars ($1,000,000.00). It is facially apparent that the damages sought in this case constitute an amount in controversy in excess of $75,000. *De Aguilar v. Boeing Co.*, 11 F.3d 55, 57 (5th Cir. 1993); *Barton v. Allstate Ins. Co.*, 729 F. Supp. 56, 57 (W.D. Tex. 1990).

Timeliness of Removal

6.   Defendant, **Salvador Uribe Ramirez**, was served on May 11, 2021. Defendant first discovered that this case was removable on or after May 11, 2021, upon receipt of a copy of Plaintiff's Original Petition. As required by 28 U.S.C. Section 1446(b), this Notice of Removal of this civil action is being filed within 30 days after Defendant's receipt of Plaintiff's initial pleading and the date it was first ascertained that the case is one which is removable.

7.   A copy of this Notice of Removal has been filed with the clerk of the 428th Judicial District Court of Hays County, Texas. Defendant will give written notice of the filing of this Notice of Removal as required by 28 U.S.C. § 1446(d).

8.   No other Defendants are named in Plaintiff's Original Petition; thus consent to this removal by others is not required.

Compliance with Local Rules

9.   Pursuant to 28 U.S.C. § 1446(a) and Rule CV-81 of the Local Rules of the United States District Court for the Western District of Texas, the following items are being filed with this Court, either as exhibits to this Notice of Removal or as separate contemporaneous filings:

(1) a civil cover sheet with Supplement to JS 44 Civil Cover Sheet;

(2) An Index of Exhibits is attached as **Exhibit "A"**;

(3) Plaintiff's Original Petition is attached as **Exhibit "B"**;

(4) Service Document for Defendant Salvador Ramirez, is attached as **Exhibit "C"**;

(5) Defendant **Salvador Uribe Ramirez's** Original Answer filed with the State Court is attached as **Exhibit "D"**;

(6) Defendant **Salvador Uribe Ramirez's** Jury Demand filed with the State Court is attached as **Exhibit "E"**;

(7) A copy of the State Court Docket Sheet is attached as **Exhibit "F"**;

(8) A list of all parties and the status of the removed case is attached as **Exhibit "G"**;

(9) A list of all attorneys involved in the action being removed, and the party or parties represented by him/her, is attached as **Exhibit "H"**; and

(10) The name and address of the court from which the case is being removed is attached as **Exhibit "I"**.

10.   Upon the filing of this Notice of Removal, the Defendant also provided written notice of this removal to all parties. A copy of this Notice is also being filed with the Clerk of the District Court for Hays County where this cause was originally filed.

Prayer

11.   WHEREFORE, Defendant, **Salvador Uribe Ramirez**, prays that this cause proceed in this Court as an action properly removed. Defendant further prays that this Court place this action on its docket for further proceedings as though it had originated in this Court and that this Court issue all necessary orders.

Respectfully submitted,

By: */s/ William J. Cozort, Jr._____*
William J. Cozort, Jr.
State Bar No. 04967550
Federal ID No: 12299
wcozort@brothers-law.com
10333 Richmond, Suite 900
Houston, Texas 77042
(713) 337-0750 - Telephone
(713) 337-0760 - Facsimile

**Attorney-in-Charge for Defendant,
Salvador Uribe Ramirez**

OF COUNSEL:

BROTHERS, ALVARADO, PIAZZA & COZORT, P.C.
10333 Richmond, Suite 900
Houston, Texas 77042
(713) 337-0750 – Telephone
(713) 337-0760 – Facsimile

CERTIFICATE OF SERVICE

I certify that a true and correct copy of *Defendant Salvador Uribe Ramirez's Notice of Removal* was served upon the following counsel of record in compliance with Rule 5 of the Federal Rules of Civil Procedure on this the 8th day of June, 2021, as follows:

VIA E-SERVE
Graham E. Sutliff
Matthew Ploeger
Leigh A. Joseph
SUTLIFF & STOUT, PLLC
3600 Bee Cave Road, Suite 102
Austin, Texas 78746

BROTHERS, ALVARADO, PIAZZA, & COZORT, P.C.

By: */s/ William J. Cozort, Jr.*
         William J. Cozort, Jr.